REMARKS

Claims 1-20 are pending.
Claims 1-20 are rejected.

Priority under 35 USC 119

Applicants have received the filing receipt on May 10. 2006. The Office has also acknowledged acceptance of application under 35 USC 371 and 37 CFR 1.495. However, the Examiner has not acknowleged receipt of the priority documents. In the next reply, the Applicants request that the Examiner acknowledge receipt of these documents.

35 USC 102(b)

Claims 1-20 are rejected under 35 USC 102(b) as being anticipated by US 5,840,901.

The present claims are directed to a process for preparing quinacridones which comprises reacting a 6, 13-dihdyroquinacridone with hydrogen peroxide in the presence of a catalyst. The catalyst is narrowly defined as **2,7** anthraquinone disulfonic acid and its mono or di sodium or potassium salts.

US 5,840,901 by contrast only suggests **2, 6** and mono **2** sulfonic acid derivatives. Column 3, lines 50-60 suggest that quinone catalysts are well-known in the art. In particular, suitable catalysts include anthraquinone compounds, especially anthraquinaone, and anthraquinone sulfonic acid derivatives, such as anthraquinone-**2,6**-disulfonic acid or preferably anthraquinone-**2**-sulfonic acid, or salts thereof.

All of the examples of US '901 use anthraquinone-**2**-sulfonic acid. Thus the present invention is a selection of US '901. US '901 makes no disclosure of the **2,7** derivative at all. Thus there can be no anticipation as anticipation requires that all elements be present.

Furthermore, in the event that the Applicants overcome the novelty rejection and the Examiner replies with an obviousness rejection, the Applicants direct the Examiner to examples 2-5. Various sulfonic acid derivatives of anthraquinone are used to prepare 2,9-dichloroquinacridone. Thus the **2**-anthraquinone, **2,6**-anthraquinone-disulfonic acid disodium salt, **1,8**-anthraquinone-disulfonic acid disodium salt, **1,5**-anthraquinone-disulfonic acid disodium salt are directly compared to the **2,7**

derivative. The known catalyst (US '910) gives a product containing traces of insoluble yellow colored anthraquinone compounds. See page 13, first paragraph.

The remaining anthraquinone-disulfonic acids (2,6, 1,8 and 1,5 position isomers) show a much lower yield on 2,9-dichloro quinacriodone and they are catalytically less effective under such reaction conditions than the presently claims catalyst (2,7). See page 13, second paragraph.

Thus the use of the 2,7-catalyst give quite unexpected advantages.

Double Patenting Rejection

Claims 1-20 are rejected under the judicially created doctrine of obviousness double patenting, as being unpatentable over claim 1-30 of US 5,840,901.

The claims of US '901 cannot make obvious the unexpected advantages referred to above (pages 13, first and second paragraphs). Thus the double patenting rejection is overcome.

Reconsideration and withdrawal of the rejection of claims 1-20 is respectfully solicited in light of the remarks *supra*.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims 1-20 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,

Shiela A. Loggins

Ciba Specialty Chemicals Corporation
540 White Plains Road
Tarrytown, New York 10591
(914) 785-2768
SAL\22716

Shiela A. Loggins
Agent for Applicants
Reg. No. 56,221